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LETTER DATED 27 MARCH 1996 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I should like to inform you that the Government of Rwanda welcomes the second report (S/1996/195, annex) of the International Commission of Inquiry to investigate, inter alia, reports relating to the sale or supply of arms and related matériel to former Rwandese government forces in the Great Lakes region in violation of the relevant Security Council resolutions.

That report contains three important aspects which I would like to draw to the attention of the members of the Security Council.

The first important aspect of the recent findings of the Commission of Inquiry was that they confirmed the previous allegations from four organizations enjoying international credibility, e.g., African Rights, Human Rights Watch, Amnesty International, and the BBC, with regard to the rearming of former Rwandese Government forces.

The second important aspect of the findings of the Commission was with respect to Seychelles. The findings constitute irrefutable proof placing two countries prominently under the implication of facilitating the operation of selling arms to the former Rwandese regime. First of all there is one country whose Government allowed the transfer of arms with the necessary official documents to facilitate the operation; secondly, there is another country which had close ties to the former Rwandese military regime and which at that time was controlling and ensuring the security of Goma airport (Zaire), the final destination of the arms.

The third important aspect of the findings of the Commission is the lack of transparency and cooperation from the Governments which have been accused of actively participating in and facilitating the transfer of arms to the perpetrators of the genocide in Rwanda. What is most serious of all, both the Government of Zaire, which requested the establishment of the Commission, and the Government of France, which needs to demonstrate that certain allegations against it were unfounded, were the first to place obstacles in the way of the Commission after having accepted its mandate.

In Iwawa island, the Rwandan Government also has provided clear evidence that former forces of the Rwandese Army are being armed and the country has been the target of infiltrations which have been mentioned in all the reports of the Secretary-General on Rwanda.

As stated in my previous letter to you, the Commission cannot, and will not, reach satisfactory conclusions for the following reasons: "The Commission has neither the legal powers ... of a police force or an established investigative agency". Clearly, a weak commission cannot investigate a situation falling under Chapter VII of the Charter of the United Nations.

The Security Council has given greater weight to the so-called conference on peace, security and stability in the Great Lakes region. Had it instead provided an adequate mandate and strength to the Commission of inquiry, imposed effective machinery to halt the infiltrations in Rwanda and detained the masterminds of the genocide, the results would have been far more promising. To date the past incorrect United Nations approaches with respect to the problems of the Great Lakes Region have been inaccurate, too much emphasis has been placed upon peace-keeping activities and too much energy has been wasted on a United Nations regional conference, thus counter-productively boosting the morale of the former genocidal regime and facilitating its rearmament.

The Government of Rwanda would like to provide some orientation for the Security Council on the vital role that the Commission of Inquiry could play in ensuring peace, security and stability in the Great Lakes region. Concerning allegations that the former Rwandese Government forces are in violation of the United Nations arms embargo, if the Commission of Inquiry were to be provided with the adequate means, mandate and strength, then an eventual conflagration could be avoided in the Great Lakes region.

The Government of Rwanda would like to invite the Security Council to seize this positive momentum engendered by the recent findings of the Commission of Inquiry and, through its moral authority call upon the international community at large to take appropriate and powerful deterrent measures with a view to preventing further tragedies in the heart of the African continent. In this connection the Government of Rwanda is firmly convinced that, as a result of the Commission of Inquiry's weak mandate and lack of resources, a full picture is yet to be provided with regard to the role that some countries have played and are continuing to play in the rearming of the former Rwandese Armed Forces both during and following the genocide as well as subsequently from exile in eastern Zaire.

The Government of Rwanda seizes this occasion to make the following strong recommendations to the Security Council with regard to the future of the Commission of Inquiry, concerning allegations on the sale of arms to former Rwandese Government Forces, in violation of the United Nations arms embargo:

(a) The Government of Rwanda endorses all the recommendations made by the Commission except that of paragraph 91 (b) of the report, of recruiting Zairean troops, to be led and paid for by the international community, to monitor the Rwandan arms embargo in Zaire. This is as contrary to logic it would be to nominate someone who is a party to a dispute as a mediator to the same dispute;

(b) The Commission should be provided with a mandate under Chapter VII of the Charter of the United Nations enabling it to carry out a thorough investigation and receive the full cooperation of members of the international community implicated in alleged violations of the embargo, so as to send a strong signal to all arms dealers of the world and their governmental supporters that they cannot supply arms to a genocidal organization benefiting from the abuse of human rights with impunity;

(c) The Security Council should strengthen and further extend the Commission's mandate in the light of the incomplete nature of the Commission's findings, the availability of additional evidence (given additional time and resources) and the significance of this first international effort to control the flow of arms in the Great Lakes region, an area with the potential for further genocide. In this connection there are more than sufficient early warnings of mass slaughter by a former genocidal regime to be pursued not only in Rwanda but also in the Great Lakes region;

(d) The Council shall provide greater thrust to and reconfirm the priority importance of the work of the Commission, work that is much more profitable to the countries of the Great lakes region than the proposed United Nations conference on peace, security and stability in the region. The region needs to be under the rule of law rather than being submerged with international conferences;

(e) The Council should insist that Governments cooperate fully with the Commission of Inquiry and call upon them to make public the details of their findings concerning the allegations made by many highly respectable non-governmental organizations. Certain privileged countries should not be exempted from these measures because of their membership in the Security Council; in this case no country should be above the law;

(f) The Security Council should call upon the Government of Zaire to live up to the commitments that it made under the Tunis Declaration by providing the Commission of Inquiry with full and free access to Zaire and allowing the stationing of United Nations military observers at its airfields and border points;

(g) The Council should consider imposing diplomatic and other sanctions against Governments that fail to cooperate with the work of the Commission in violation of the arms embargo provisions contained in the relevant Security Council resolutions 918 (1994), 997 (1995) and 1011 (1995);

(h) The Council should instruct the Commission to look into recent and current allegations of arms shipments to the former Rwandese Government Forces instead of focusing only on past violations of the United Nations arms embargo;

(i) The Council should heed the Commission's recommendation with respect to the creation of an organ fully empowered to monitor, implement and enforce the United Nations arms embargo;

(j) The Government of Rwanda recommends that further investigations be carried out on the number of cargo flights bringing into Goma weapons which were then transferred to the Rwandese Government Forces;

(k) The Government of Rwanda also strongly recommends that the Security Council envisage ways and means to carry out more in-depth investigation into the role of Zaire in providing shelter and protection to the Rwandese Army Forces and rebel militias in eastern Zaire, and permitting those forces to carry out military training activities and military raids in Rwanda and other neighbouring countries.

The Government of Rwanda would like to invite the Security Council to encourage countries such as Cameroon, Seychelles and Zambia in their determination to implement the relevant Security Council resolutions.

I would be grateful if the present letter could be circulated as a document of the Security Council.

(Signed) Manzi BAKURAMUTSA
Ambassador
Permanent Representative of
Rwanda to the United Nations

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